



Development Services Department
Environmental Coordinator
450 110th Avenue NE
Bellevue, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPOSAL NAME:	Lee Pier Repair and Boatlift Replacement
LOCATION:	254 W Lake Sammamish Pkwy NE
FILE NUMBERS:	20-122371-WG
PROPONENT:	Gregory Ashley
DESCRIPTION OF PROPOSAL: Proposal to relocate one (1) existing boatlift and to replace one (1) pier-mounted personal watercraft lift with a ground-based watercraft lift. The proposal also includes repair of piles, caps, and stringers, and grated panel decking installation on an existing pier.	

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision.

DATE ISSUED: 5/27/2021

APPEAL DATE: 6/10/2021

A written appeal must be filed in the City Clerk's Office by 5 p.m. on the appeal date noted above.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project) or if the DNS was procured by misrepresentation or lack of material disclosure.

Issued By: *Heidi Bedwell, Planning Manager* **for** **Date:** May 27, 2021
Elizabeth Stead, Environmental Coordinator
Development Services Department



City of Bellevue
Development Services Department
Land Use Staff Report

**SHORELINE MANAGEMENT ACT
DECISION ON SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

File Number:	20-122371-WG
Proposal Name:	Lee Pier Repair and Boatlift Replacement
Proposal Address and Location:	254 W Lake Sammamish Pkwy NE
Water Body:	Lake Sammamish
Shoreline Environment Designation:	Shoreline Residential
Proposal Description:	Land Use review of a Shoreline Substantial Development Permit to relocate one (1) existing boatlift and to replace one (1) pier-mounted personal watercraft lift with a ground-based watercraft lift. The proposal also includes repair of piles, caps, and stringers, and grated panel decking installation on an existing pier.
Applicant:	<input type="checkbox"/> Applicant owns property Gregory Ashley, Ashley Shoreline Design & Permitting, 16412 NE 10 th PI, Bellevue, WA 98008
Applicant Representative:	Gregory Ashley, Ashley Shoreline Design & Permitting, 16412 NE 10th PI, Bellevue, WA 98008 425-957-9381, greg@shoreline-permitting.com
Application Date:	November 25, 2020
Notice of Application Date:	December 31, 2020
Notice of Decision Date:	May 27, 2021
Date of Receipt by Ecology:	

SEPA Determination:

Determination of Non-Significance

SEPA Appeal Deadline:

June 10, 2021

Heidi Bedwell, Planning Manager

Elizabeth Stead, Environmental Coordinator
Development Services Department

Decision on SSDP:

Approval with Conditions

Michael A. Brennan, Director
Development Services Department

By:

David Wong
David Wong, Land Use Planner

The appeal period for a Shoreline Substantial Development Permit is 21 days from the "date of filing" with the Department of Ecology, as defined in RCW 90.58.140(6) and WAC 173-27-130. Appeal of the decision must be made to the Washington State Shoreline Hearings Board.

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms and conditions hereof. This permit approval will expire within two years of the date of filing unless the construction, use, or activity pursuant to this permit is commenced. Final expiration of this permit approval is five years from the date of filing. Request for extension of expiration is subject to LUC 20.25E.250.E.6.

Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the date of filing or until all review proceedings initiated within twenty-one (21) days from the date of such filing have terminated; except as provided in RCW 90.58.140(5) (A) (B) (C) (D).

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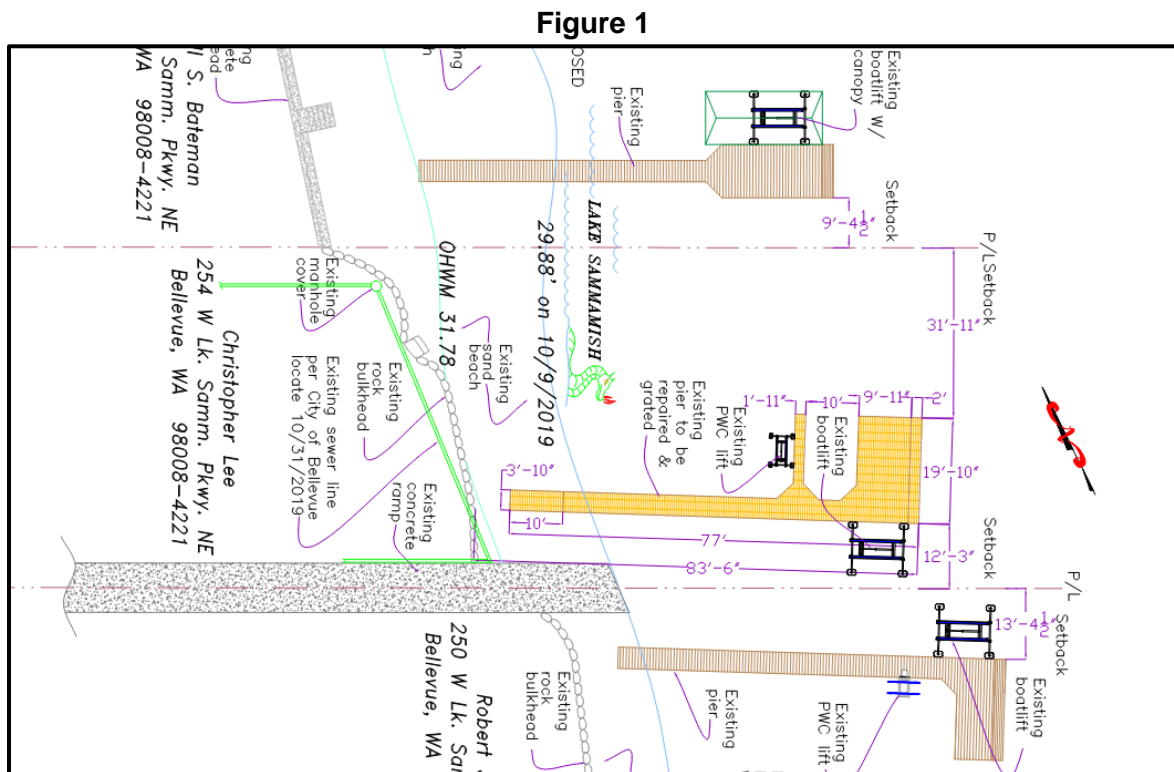
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Attachments:

- A. Site Plan
- B. Environmental Checklist (in file)

I. Proposal Description

Applicant requests approval to replace and relocate one (1) new ground-based boatlift and replace one (1) dock-mounted personal watercraft lift with one (1) ground-based personal watercraft lift. The proposed conditions would locate the boatlift at the south side of the existing dock within the 10-foot setback. The proposal also includes various repairs to the existing residential pier that include, but are not limited to, structural piles; stringers and caps; and replacement of wood decking with Thruflow panels. See Figure 1 for information on the proposed conditions.



The proposed project is subject to the Shoreline Substantial Development Permit and SEPA requirements because the proposed work is within a shoreline of statewide significance. The total cost of the proposed work exceeds the threshold allowance of \$7,047 granted in LUC 20.25E.170.C.1 and therefore requires a Shoreline Substantial Development Permit review. The provisions of the Shoreline Overlay District apply.

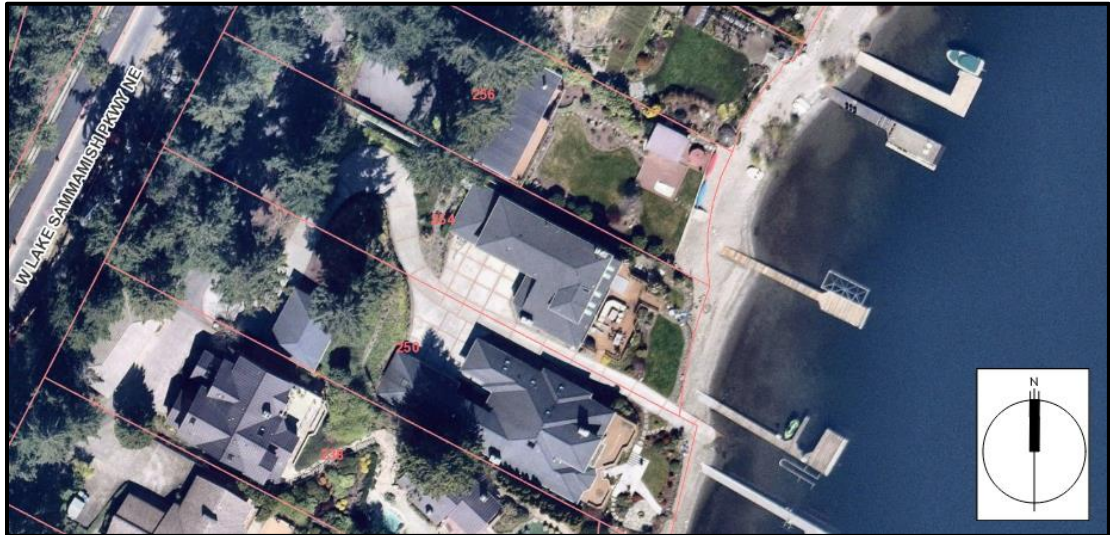
II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description and Land Use Context

The subject site is located on Lake Sammamish in the Northeast Bellevue subarea. Properties in the vicinity are generally developed with single family residences and residential docks, and the neighborhood is characterized by mature trees and highly

developed shoreline properties. The adjacent properties to the south and north are developed with a residential pier. See Figure 1 for existing conditions.

Figure 1



B. Zoning, Subarea, and Comprehensive Plan

The property is zoned R-2.5 and is located within the Shoreline Overlay District per LUC 20.25E. Properties in the vicinity are also within the R-1.8, R-2.5, and R-5 zoning district which are single-family low (SF-L), medium- (SF-M), and high-density (SF-H) Comprehensive Plan designations. See Figure 2 for zoning mapping, Figure 3 for subarea mapping, and Figure 4 for Comprehensive Plan mapping.

Figure 2



Figure 3

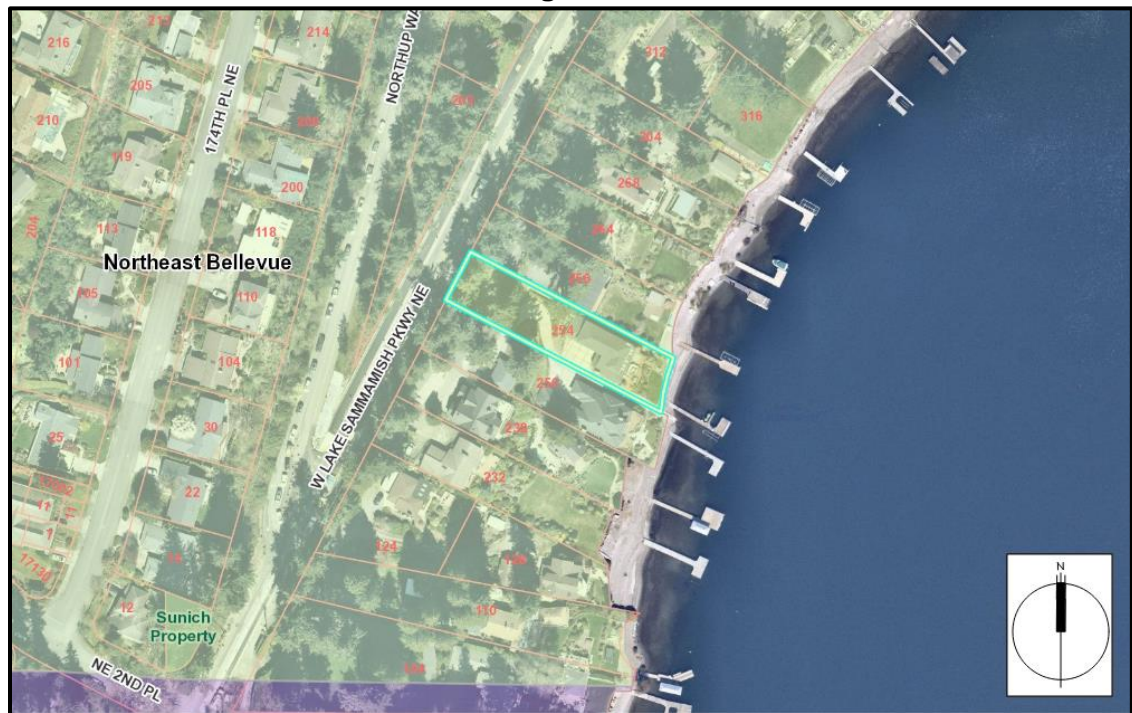
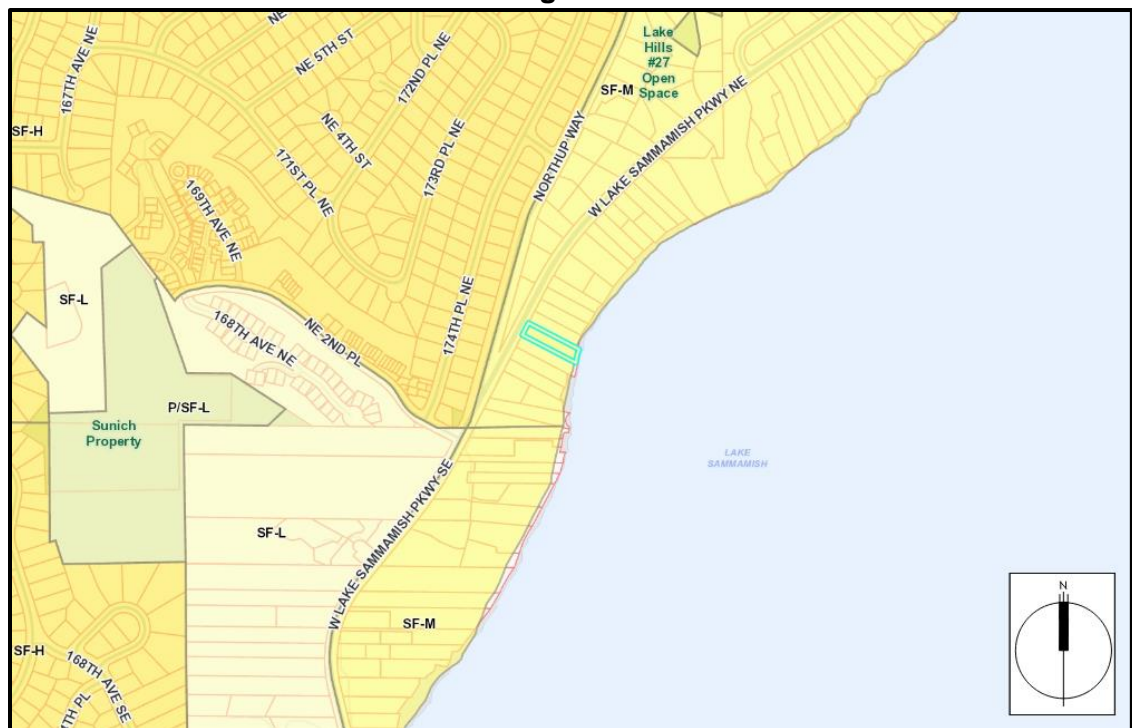


Figure 4



C. Shoreline Environment and Functions

The site is in the Shoreline Residential shoreline environment designation. Per LUC 20.25E.010, the shoreline residential environment is to accommodate single or multifamily

residential development and appurtenant structures. A shoreline residential environment designation is assigned to Bellevue shorelands which are predominantly characterized by residential development or are planned for residential development and exhibit moderate to low levels of ecological functions because of historic shoreline modification activities.

Shorelines provide a variety of functions including shade, temperature control, water purification, woody debris recruitment, channel, bank and beach erosion, sediment delivery, and terrestrial-based food supply (Gregory et al. 1991; Naiman et al. 1993; Spence et al. 1996). Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values.

III. Consistency with Land Use Code (LUC) Requirements:

A. Zoning District Dimensional Requirements:

The site is located in the R-2.5 zoning district. There are no general dimensional requirements applicable to the subject proposal.

B. Shoreline Master Program Requirements LUC 20.25E:

1. Dock Side Setback Requirements – LUC 20.25E.065.H.4

No private dock or other structure waterward of the ordinary high water mark, including boatlifts, watercraft lifts, and other structures attached thereto, shall be closer than 10 feet to any adjacent property line projection, except where a mutual agreement of adjoining property owners is recorded with the King County Records and Election Division and the Bellevue City Clerk and submitted as part of the permit application for the use or activity.

Finding: The proposed boatlift will be located along the south side of the existing pier and within the 10-foot side setback. The applicant has provided a written recorded mutual setback agreement (20200827001445) with the adjacent property owner to the south to locate the boatlift within the 10-foot side setback.

2. Repair and Replacement of Existing Residential Docks – LUC 20.25E.H.5

Existing legally established residential docks may be repaired or replaced in the existing configuration and footprint; provided, that the following requirements are met:

a. Materials used for dock repairs shall meet the requirements established in subsection H.3.a of this section;

Finding: Proposed dock materials are EPA and WDFW approved. Compliance

with dock materials requirements will be reviewed under the Building Permit application. See Section X for Conditions of Approval related to dock materials.

b. Any decking that is replaced shall be grated to allow for light transmission;

Finding: The existing wood decking is proposed to be replaced with Thruflow grated panels to allow for light transmission. Compliance with decking material requirements will be reviewed under the Building Permit application. See Section X for Conditions of Approval related to dock materials.

c. Any piles that are replaced shall be the minimum diameter and at the maximum spacing feasible to support the dock configuration; and

Finding: No piles are proposed to be replaced. Piles will be repaired on an as-needed basis and repair will consist of sleeving to avoid disturbance to the lakebed. See Section X for Conditions of Approval related to pile repair.

d. Projects that replace 75 percent or more of the support piles in the near shore area within a 5-year period shall meet the requirements applicable to reconfigured residential docks contained in LUC Chart 20.25E.065.H.4 of this section.

Finding: No pile replacement is proposed under this scope of work.

3. Boatlifts & Watercraft Lifts – LUC 20.25E.065.H.6

To reduce disturbance of the lake substrate, attached boatlifts and watercraft lifts are preferred over freestanding lifts. Lifts are limited in the number allowed and location:

a. Number. The number of combined boat and watercraft lifts is limited to four per dock.

Finding: The proposal will result in a total of two (2) lifts for the subject property.

b. Location. The landward stanchion of any boat or watercraft lift shall be located more than 30 feet waterward of OHWM or within 30 feet waterward of OHWM if located in at least 9 feet of water depth when measured from the OHWM unless otherwise approved by State or Federal Agencies pursuant to LUC Chart 20.25E.065.H.4 Note 4.

Finding: The proposed watercraft lift and boatlift are located approximately 49 and 53 feet, respectively, from the OHWM.

c. Number of Lift Canopies Allowed. One fabric watercraft or boat lift canopy is allowed per single-use dock. Two fabric watercraft or boat lift canopies

are allowed per joint-use dock. Canopy fabric shall be light-transmitting, unless alternative materials are approved by State or Federal Agencies pursuant to LUC Chart 20.25E.065.H.4, Note 4.

Finding: No lift canopies are proposed for the boatlift or watercraft lift

IV. Public Notice and Comment

Date of Application: November 25, 2020
Notice of Application: December 31, 2021
Minimum Comment Period: February 1, 2021

The Notice of Application for this project was published in the City of Bellevue Weekly Permit Bulletin on December 31, 2020. It was mailed to property owners within 500 feet of the project site. Staff received no comments prior to the writing of this report.

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development. A Construction Stormwater Pollution Prevention Plan is required to be submitted for review and approval as part of the Clearing & Grading review of the Building Permit. **See Section X for Conditions of Approval related to CSWPP requirements.**

Utilities Department:

The Utilities Division of the Development Services Department has reviewed the proposed development for compliance with Utilities codes and standards. Utilities will require the public sewer main to be shown on all construction plans. These plans shall note that the sewer main is “as located by COB waste water crew” and the date that the location was done.

Utilities also restricts construction from occurring within 5’ of the sewer main or within the easement on the site. All equipment, barges, and anchors must be kept away from the sewer main during construction. **See Section X for Conditions of Approval related to activity restrictions within proximity to the sewer main and easement.**

VI. State Environmental Policy Act (SEPA)

The applicant has provided a complete SEPA checklist supported by detailed analysis for review in demonstrating no significant adverse environmental impact. Staff has reviewed

the checklist, analysis, and supporting documentation and has determined that, for the proposed action, environmental review indicates no probability of significant adverse environmental impacts provided that applicable city codes and standards are implemented. Therefore, issuance of a Determination of Non-Significance pursuant to WAC 197-11-340 and Bellevue City Code (BCC) 22.02.034 is appropriate.

A. Earth, Air, and Water

No dredging, withdrawals, diversions, or discharges are anticipated from the proposed construction, and minor disturbance is anticipated as the only in-water work is placement of the lifts and sleeving of existing piles.

B. Animals

The entire dock is proposed to be fully grated which will allow for increased light penetration. Fish species and their habitat will be protected during the project construction through the timing of in-water work. The applicant will be required to receive State and Federal permit approval and all in-water work is required to occur within the construction window as established by the agencies to minimize or avoid impacts to fish and wildlife. See Section X for Conditions of related to in-water work and additional agency permitting.

C. Plants

Existing vegetation on the shoreline is sparse, consisting of lawn and ornamental plants. No vegetation will be disturbed as part of the proposal.

VII. Decision Criteria

A. Shoreline Substantial Development Permit Decision Criteria – LUC 20.25E.160

The Director of the Development Services Department may approve or approve with modifications if:

1. The proposal is consistent with the policies and procedures of the Shoreline Management Act;

Finding: As evaluated the proposal is consistent with applicable policies and procedures of the Shoreline Management Act (SMA). The SMA includes broad policies that give priority to water-dependent uses and activities and single-family residences are specifically identified as a preferred use.

2. The proposal is consistent with the provisions of Chapter 173-27 WAC;

Finding: The applicant's proposal is consistent with the general policies and has demonstrated compliance with the applicable procedures and requirements of the WAC through this permit application.

3. The proposal is consistent with the SMP;

Finding: As evaluated in Section III of this report, the applicant has submitted project plans that demonstrate the proposal's consistency with the policies and procedures of the Shoreline Management Program (SMP).

4. The proposal is consistent with the Bellevue Comprehensive Plan; and

Finding: The applicant's proposal is consistent with the following policies and has demonstrated compliance with the SMP through this application. Specifically:

SH-1 - Allow compatible water-dependent uses and development when associated with permitted upland uses and in accordance with applicable policies and regulations.

SH-3 - Locate and design uses and development to minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife and material necessary to create or sustain their habitat, particularly those species dependent on migration

SH-9 - Recognize residential development, appurtenant structures, and water-dependent and water-enjoyment recreation activities as preferred where they are appropriate and can be developed without significant impact to ecological functions identified in the Shoreline Analysis Report or displacement of water-dependent uses.

SH-18 - Give preference to residential and water dependent, water-enjoyment, and water-related uses (in that order) when the use, activity, or development preserves shoreline ecological functions and processes or, where necessary, mitigates impacts to water quality, fish and wildlife habitat, and other shoreline functions.

SH-92 - Allow for maintenance, repair, reconfiguration, and replacement of legally-established and functional piers and docks

Finding: The proposed dock is consistent with this goal to allow residential use of the shoreline, will be constructed with materials suitable for in-water construction, and will not have an adverse effect on water quality, vegetation, fish, and wildlife in or near the water.

5. The proposal complies with applicable requirements of the Bellevue City Code.

Finding: As reviewed in Section III and V of this report, the proposal complies with all applicable requirements of the Bellevue City Code. Final determination of compliance with Bellevue City Code will occur during review of the required Building Permit. See Section X for Conditions of Approval related to Building Permit

requirements.

VIII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including LUC consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the location and installation of the proposed boatlift and personal watercraft lift, and the proposed repairs to the existing residential pier. Revision to this approval shall be in accordance with LUC 20.25E.150.E.2.

Note—Expiration of Approval: In accordance with LUC 20.25E.250.C.2, a Shoreline Substantial Development Permit automatically expires and is void if the applicant fails to file for a Building Permit and fails to make substantial progress towards completion of the project within two (2) years of the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension for the Shoreline Substantial Development Permit pursuant to LUC 20.25E.250.C.6.

Permit authorization expires finally, despite commencement of construction, five years after the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension pursuant to LUC 20.25E.250.

IX. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Janney Gwo, 425-452-6190
Utilities Code- BCC 24	Jason Felgar 425-452-7851
Land Use Code- BCC 20.25H	David Wong, 425-452-4282

The following conditions are imposed under the BCC or SEPA authority referenced:

1. **Building Permit Required:** Approval of the Shoreline Substantial Development Permit does not constitute approval of a development permit. A Building Permit (with Clearing & Grading review) shall be required and approved. Plans consistent with those submitted as a part of this permit application shall be included in the Building Permit application

Authority: LUC 20.25E.160
Reviewer: David Wong, Land Use

2. **State Permits Required:** Prior to the issuance of the required Building Permit, the applicant shall produce evidence of receipt of required state permits for the proposed boatlift and watercraft lifts.

Authority: LUC 20.25E.065
Reviewer: David Wong, Land Use

3. **Construction Stormwater Pollution Prevention Plan:** To ensure federal and state water quality and effluent standards are met, and Shoreline Overlay District comply with the provision of Chapter 23.76 BCC, a Construction Stormwater Pollution Prevention Plan is required to be submitted for review and approval as part of the Building Permit.

Authority: BCC 23.76
Reviewer: Janney Gwo, Clearing & Grading

4. **Lake Sammamish Allowed In-Water Work Windows:** The US Army Corps of Engineers regulates work windows for when work can occur in Lake Sammamish and this project shall comply with the approved work window.

Authority: LUC 20.25E.160
Reviewer: David Wong, Land Use

5. **Allowed Materials:** All materials used for decking, structural components, pile (including splicing), and hardware shall be approved by the Environmental Protection Agency for aquatic environments.

Authority: LUC 20.25E.065
Reviewer: David Wong, Land Use

6. **Pile Repair:** Piles shall be repaired by splicing as needed and in accordance with the conceptual splicing detail found on page 2 of Attachment 1. Replacement through installation of new structural piles is not allowed under this Shoreline Substantial Development Permit approval.

Authority: LUC 20.25E.065
Reviewer: David Wong, Land Use

7. **Sewer Main Location:** The public sewer main shall be shown on all demolition and construction plans. The plans shall note that the sewer main is "as located by COB waste water crew" and the date that the location was done.

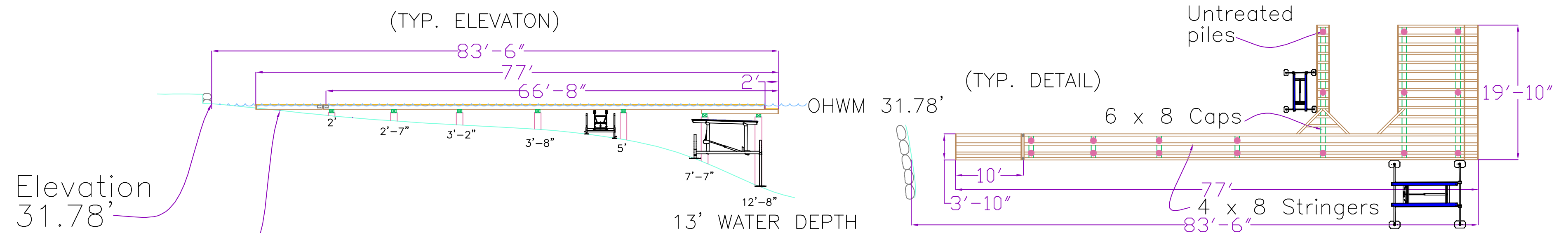
Authority: Sanitary Sewer Engineering Standards
Reviewer: Jason Felgar, Utilities Department

8. **Setback From Sewer:** Construction is not permitted within 5' of the sewer main on the site. All equipment, barges, and anchors must be kept away from the sewer main during construction.

Authority: Sanitary Sewer Engineering Standards
Reviewer: Jason Felgar, Utilities

9. **Land Use Inspection:** To ensure the boatlift and personal watercraft lifts have been installed in accordance with approved plans (see Attachment A) the applicant must call for and obtain an inspection from a Land Use Planner from the City of Bellevue, following installation of approved improvements. This inspection is listed as a #600 land use inspection on the approved Building Permit.

Authority: LUC 20.25E.080.B
Reviewer: David Wong, Land Use



1. ALL PILINGS ARE EXISTING.
2. PILINGS ARE 12" DIA. TYPICAL
3. PILINGS ARE MAXIMUM 12' O.C.
4. EXISTING CAPS ATTACHED TO PILINGS WITH 30" X 1/2" GALV. DRIFT PINS
5. STRINGERS TO BE A MAXIMUM 1'-4" O.C.
6. STRINGERS TO BE ATTACHED TO CAPS WITH 14" X 1/2" GALV. CARRIAGE BOLTS
7. DECKING ATTACHED TO STRINGERS WITH S.S SCREWS

NOTES:
ALL PILINGS ARE NON-TREATED DOUGLAS FIR
CAP MATERIAL IS DOUGLAS FIR # 2 OR BETTER -- ACZA TREATED TO .60 OR REFUSAL
STRINGER MATERIAL IS DOUGLAS FIR # 1 -- ACZA TREATED TO .40 OR REFUSAL
ALL CUT AND EXPOSED EDGES OF TREATED MEMBERS TO BE HAND TREATED WITH WOOD PRESERVATIVE
DECKING MEETS REQUIRED 60 PSF LIVE LOAD PER IRC R301.5
DECKING TO BE THRU-FLOW GRATING
WDFW APPROVED MATERIALS AND METHODS

